

SENATE AMENDMENTS

2nd Printing

By: Paddie

H.B. No. 3257

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation and inspection of boilers.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 755.001(17), Health and Safety Code, is
5 amended to read as follows:

6 (17) "Portable [~~power~~] boiler" means a boiler
7 primarily intended for use at a temporary location.

8 SECTION 2. Section 755.022(a), Health and Safety Code, is
9 amended to read as follows:

10 (a) This chapter does not apply to:

11 (1) boilers owned or operated by the federal
12 government;

13 (2) pressure vessels or process steam generators,
14 other than steam collection or liberation drums of process steam
15 generators;

16 (3) manually fired miniature boilers that:

17 (A) are constructed or maintained for
18 locomotives, boats, tractors, or stationary engines only as a hobby
19 for exhibition, recreation, education, or historical purposes and
20 not for commercial use;

21 (B) have an inside diameter of 12 inches or less
22 or a grate area of two square feet or less; and

23 (C) are equipped with a safety valve of adequate
24 size, a water level indicator, and a pressure gauge;

1 (4) boilers that are designed for operation only at
2 atmospheric pressure and that are equipped with two independent
3 means to prevent the buildup of pressure; ~~[or]~~

4 (5) steam cookers; or

5 (6) espresso machines.

6 SECTION 3. Section 755.025(e), Health and Safety Code, is
7 amended to read as follows:

8 (e) The commission by rule shall establish the subsequent
9 intervals and manner of inspection for a [A] portable [power]
10 boiler ~~[must be inspected externally each time the boiler is moved~~
11 ~~to a new location and must receive an internal inspection at least~~
12 ~~annually]~~.

13 SECTION 4. As soon as practicable after the effective date
14 of this Act, the Texas Commission of Licensing and Regulation shall
15 adopt the rules necessary to implement the changes in law made by
16 this Act.

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2017.

ADOPTED

MAY 18 2017

Atay Spaw
Secretary of the Senate

BY:

Kelly Harmon

FLOOR AMENDMENT NO. 1

Amend H.B. No. 3257 (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Chapter 755, Health and Safety Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. REGULATION OF BOILERS AND FUEL GAS SYSTEMS

Sec. 755.071. RESTRICTION ON REGULATION. Notwithstanding any other law, a state agency or political subdivision may not restrict the use or installation of a specific fuel gas pipe product that is approved for use and installation by the International Fuel Gas Code.

Sec. 755.072. CONFLICT OF LAW. To the extent of a conflict between this subchapter and another law, this subchapter controls.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 20, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3257 by Paddie (Relating to the regulation and inspection of boilers.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code relating to the regulation and inspection of boilers.

The Texas Department of Licensing and Regulation, Commission on Fire Protection, and Department of Insurance indicate that any costs associated with the bill could be absorbed within current resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 411 Commission on Fire Protection, 452 Department of Licensing and Regulation, 454 Department of Insurance

LBB Staff: UP, CL, JQ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 8, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3257 by Paddie (Relating to the regulation and inspection of boilers.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to the regulation and inspection of boilers.

The Texas Department of Licensing and Regulation indicates that any costs associated with the bill could be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: UP, CL, EH, JQ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 6, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3257 by Paddie (Relating to the regulation and inspection of boilers.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to the regulation and inspection of boilers.

The Texas Department of Licensing and Regulation indicates that any costs associated with the bill could be absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: UP, CL, EH, JQ